

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM BENJAMIN BROWN,	:	Civil No. 1:21-CV-00774
	:	
Petitioner,	:	
	:	
v.	:	
	:	Judge Jennifer P. Wilson
	:	
WARDEN MACKENBURD,	:	
	:	
Respondent.	:	Magistrate Judge Martin C. Carlson

**ORDER**

Before the court is the report and recommendation of United States Magistrate Judge Martin C. Carlson recommending that the petition for habeas corpus filed by William Benjamin Brown be denied two grounds: (1) Petitioner's Rehaif claim fails as a matter of law; and (2) Petitioner's actual innocence claims fail on their merits. (Doc. 63.)

Brown timely filed objections to the report and recommendation. (Docs. 64, 65.) However, Brown's objections merely restate and reargue the very issues that Judge Carlson already considered and rejected in the report and recommendation. (*Id.*) Since mere disagreement with the report and recommendation is not a basis to decline to adopt the report and recommendation, the court construes Brown's objections as general objections.

When a party raises only general objections to a report and recommendation, a district court is not required to conduct a de novo review of the report and

recommendation. *Goney v. Clark*, 749 F.2d 5, 6–7 (3d Cir. 1984). “To obtain de novo determination of a magistrate’s findings by a district court, 28 U.S.C. § 636(b)(1) requires both timely and specific objections to the report.” *Id.* at 6. Thus, when reviewing general objections to a report and recommendation, the court’s review is limited “to ascertaining whether there is ‘clear error’ or ‘manifest injustice’” on the face of the record. *Boomer v. Lewis*, No. 3:06-CV-00850, 2009 WL 2900778, at \*1 (M.D. Pa. Sept. 9, 2009).

The court has reviewed Judge Carlson’s report and recommendation and finds no clear error or manifest injustice on the face of the record. Indeed, Judge Carlson’s analysis thoroughly considers and addresses the arguments raised by Brown in his objections. The fact that Brown disagrees with the outcome of this analysis is not a basis to decline to adopt the report and recommendation.

Accordingly, **IT IS ORDERED THAT:**

- 1) The report and recommendation, Doc. 63, is **ADOPTED** in its entirety.
- 2) Brown's petition for writ of habeas corpus, Doc. 1, is **DENIED**.
- 3) The court finds no basis to issue a certificate of appealability. *See* 28 U.S.C. § 2253(c).
- 4) The Clerk of Court is directed to close this case.

s/Jennifer P. Wilson  
JENNIFER P. WILSON  
United States District Court Judge  
Middle District of Pennsylvania

Dated: July 26, 2022